

1 BILL NO. X-87-09-21

2 ANNEXATION ORDINANCE NO. X- 0787

3 AN ORDINANCE annexing certain territory
commonly known as Lake Avenue Annexation Area
to Fort Wayne and including the same in
4 Councilmanic District No. 2.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
6 WAYNE, INDIANA:

7 SECTION 1. That the following described territory be, and
8 the same is hereby, annexed to and made a part of the corporation
9 of the City of Fort Wayne, Indiana to wit:

10 Part of Section 4, Township 30 North, Range 13 East, part of
11 Section 3, Township 30 North, Range 13 East, and part of the
Northeast Quarter of Section 9, Township 30 North, Range 13 East,
Allen County, Indiana.

12 Beginning at a point, that point being on the north-south
13 centerline of Section 4 in Adams Township and the north right-of-
way line of Lake Avenue (on the existing City Limits line);
thence east along the north right-of-way line of Lake Avenue
(this being the existing City Limits line) to a point on the east
15 right-of-way line of Lake Avenue (Maysville Road), and its
intersection with the north right-of-way line of North River
Road; thence continuing in a southeasterly direction along the
16 north right-of-way line of North River Road to a point on the
west property line of Maumee Park; thence south a distance of 345
feet more or less (along said west line of Maumee Park) to the
17 middle of the Maumee River; thence in a southwesterly direction
18 along the center of the Maumee River to its point of intersection
with the north-south centerline of Section 4 in Adams Township,
19 this point being on the existing City Limits line; thence north
20 along said north-south centerline of Section 4 to the point of
beginning containing 369 acres more or less.

21 SECTION 2. It is the policy of the City of Fort Wayne to
22 furnish the above described territory within a period of one (1)
23 year from the effective date of annexation, governmental services
24 of a non-capital nature in a manner which is equivalent in
standard and scope to those non-capital services provided to
26 areas within the City which have similar topography, patterns of
land utilization and population density to the said described
territory. It is also the policy of the City of Fort Wayne to
provide services of a capital improvement nature to the annexed
territory within three (3) years of the effective date of
annexation in the same manner as such services are provided to

1 areas already in the City with similar topography, patterns of
2 land utilization and population density, and in a manner
3 consistent with federal, state, and local laws, procedures and
4 planning criteria.

5 SECTION 3. Governmental and proprietary services will be
6 provided to the above described territory in a manner consistent
7 with the written Fiscal Plan for the territory developed by the
8 Division of Community Development and Planning. Said Plan was
9 examined by the Common Council and is approved and adopted by the
10 Common Council by the passage of this Ordinance.

11 SECTION 4. Said described territory shall be part of City
12 Councilmanic Political Ward No. 2 of the City of Fort Wayne,
13 Indiana, as described in Division I, Section 2-9 of Chapter 2 of
14 the Municipal Code of the City of Fort Wayne, Indiana of 1974, as
15 amended.

16 SECTION 5. After its passage, approval by the Mayor, final
17 publication, and the required sixty (60) day remonstrance period,
18 this Ordinance shall be in full force and effect on December 31,
19 1987 or sixty days after the final publication, whichever is
20 later.

21 
22 COUNCIL MEMBER

23
24 APPROVED AS TO FORM AND LEGALITY

25 
26 BRUCE O. BOXBERGER, CITY ATTORNEY

27
28
29
30
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Read the first time in full and on motion by Stier, seconded by Salvo, and duly adopted, read the second time by title and referred to the Committee Annexation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne Indiana, on _____, the _____ day of _____, 19_____, at _____ o'clock M., E.S.

DATE: 9-8-87

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Stier, seconded by Costello, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>—</u>	<u>—</u>	<u>1</u>	<u>—</u>
<u>BRADBURY</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>BURNS</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>EISBART</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>GiaQUINTA</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>✓</u>	<u>—</u>
<u>HENRY</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>REDD</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>SCHMIDT</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>STIER</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>TALARICO</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>

DATE: 10-13-87

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. X-07-87
on the 13th day of October, 1987.

ATTEST:

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

(SEAL)

Thomas P. Henry
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the 14th day of October, 1987,
at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 15th day of October,
1987, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses Jr.
WIN MOSES, JR., MAYOR

BILL NO. X-87-09-21

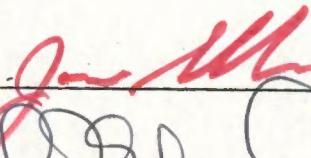
REPORT OF THE COMMITTEE ON ANNEXATION

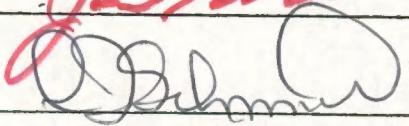
WE, YOUR COMMITTEE ON ANNEXATION TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) annexing certain territory
commonly known as Lake Avenue Annexation Area to Fort Wayne
and including the same in Councilmanic District No. 2

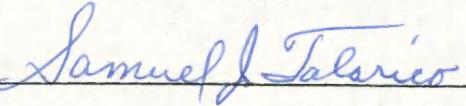
HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(~~RESOLUTION~~)

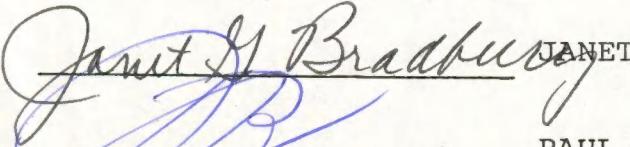
YES

NO


JAMES S. STIER
CHAIRMAN


DONALD J. SCHMIDT
VICE CHAIRMAN


SAMUEL J. TALARICO

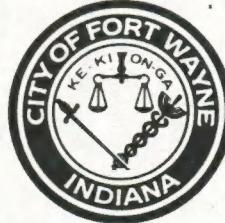

JANET G. BRADBURY


PAUL M. BURNS

CONCURRED IN 10-13-87-

SANDRA E. KENNEDY
CITY CLERK

All America City



Most Livable City

THE CITY OF FORT WAYNE

October 19, 1987

Ms. Marilyn Romine
Fort Wayne, Newspapers, Inc.,
600 West Main Street
Fort Wayne, IN 46807

Dear Ms. Romine:

Please give the attached full coverage on the dates of October 22, 1987 and October 29, 1987, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. X-87-09-21
Annexation No. X-07-87

Please send us 4 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE Lake Avenue Annexation

X-81-0921

DEPARTMENT REQUESTING ORDINANCE Community Development & Planning

SYNOPSIS OF ORDINANCE Ordinance annexes said territory to the City of Fort Wayne. The annexation area contains approximately 368 acres.

The annexation area meets the test for annexation under State Law in that the area is at least (25%) contiguous to the City and is needed and usable by the municipality for its development in the reasonably near future.

EFFECT OF PASSAGE Described territory will become part of the City.

EFFECT OF NON-PASSAGE The area will not become part of the City.

MONEY INVOLVED (Direct Cost, Expenditures, Savings) To be explained by the Fiscal Plan which will be prepared by the Division of Community Development & Planning.

ASSIGNED TO COMMITTEE (J.N.) _____

LEGAL NOTICE

Notice is hereby given that on the 13th day of
October, 1987, the Common Council of the City
of Fort Wayne, Indiana, in a Regular Session did pass
the following Bill No. X-87-09-21 Annexation
Ordinance No. X-07-87 to-wit:

1 BILL NO. X-87-09-21

2 ANNEXATION ORDINANCE NO. X- 07-87
3 AN ORDINANCE annexing certain territory
4 commonly known as Lake Avenue Annexation Area
to Fort Wayne and including the same in
Councilmanic District No. 2.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
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8 the same is hereby, annexed to and made a part of the corporation
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11 Section 3, Township 30 North, Range 13 East, and part of the
Northeast Quarter of Section 9, Township 30 North, Range 13 East,
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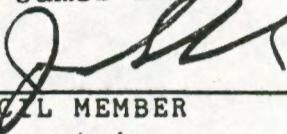
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along said north-south centerline of Section 4 to the point of
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21 SECTION 2. It is the policy of the City of Fort Wayne to
22 furnish the above described territory within a period of one (1)
23 year from the effective date of annexation, governmental services
24 of a non-capital nature in a manner which is equivalent in
standard and scope to those non-capital services provided to
areas within the City which have similar topography, patterns of
land utilization and population density to the said described
territory. It is also the policy of the City of Fort Wayne to
provide services of a capital improvement nature to the annexed
territory within three (3) years of the effective date of
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12 Councilmanic Political Ward No. 2 of the City of Fort Wayne,
13 Indiana, as described in Division I, Section 2-9 of Chapter 2 of
14 the Municipal Code of the City of Fort Wayne, Indiana of 1974, as
15 amended.

16 SECTION 5. After its passage, approval by the Mayor, final
17 publication, and the required sixty (60) day remonstrance period,
18 this Ordinance shall be in full force and effect on December 31,
19 1987 or sixty days after the final publication, whichever is
20 later.
21

James S. Stier



COUNCIL MEMBER

22 Read the third time in full and on motion by Stier,
seconded by Eisbart, and duly adopted, placed on its passage.
PASSED by the following vote:

AYES: Eight

Bradbury, Burns, Eisbart, Henry, Redd, Schmidt,
Stier, Talarico

NAYS: None

ABSENT: One

GiaQuinta

DATE: 10-13-87

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City
of Fort Wayne, Indiana, as Annexation Ordinance No. X-07-87
on the 13th day of October, 1987

ATTEST:

(SEAL)

Presented by me to the Mayor of the City of Fort Wayne,
Indiana, on the 14th day of October, 1987, at the hour of
11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of October,
1987, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify
that the above and foregoing is a full, true and complete copy of

Annexation Ordinance No. X-07-87,

passed by the Common Council on the 13th day of
October, 1987, and that said Ordinance was
duly signed and approved by the Mayor on the 15th day of
October, 1987, and now remains on file and
on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne,
Indiana, this 15th day of October, 1987.

SEAL

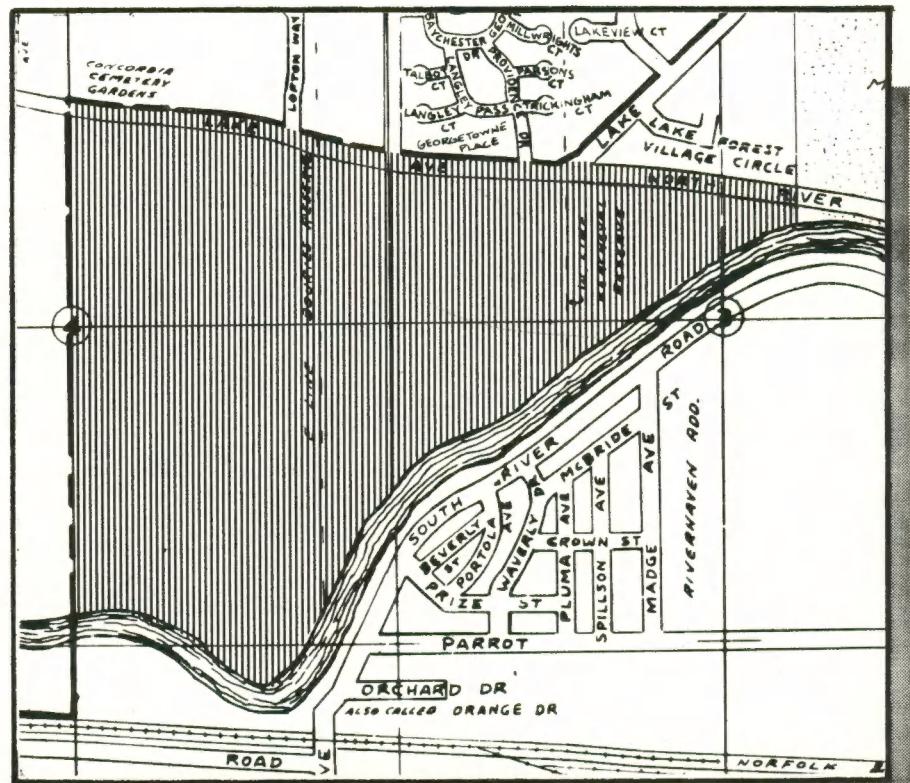
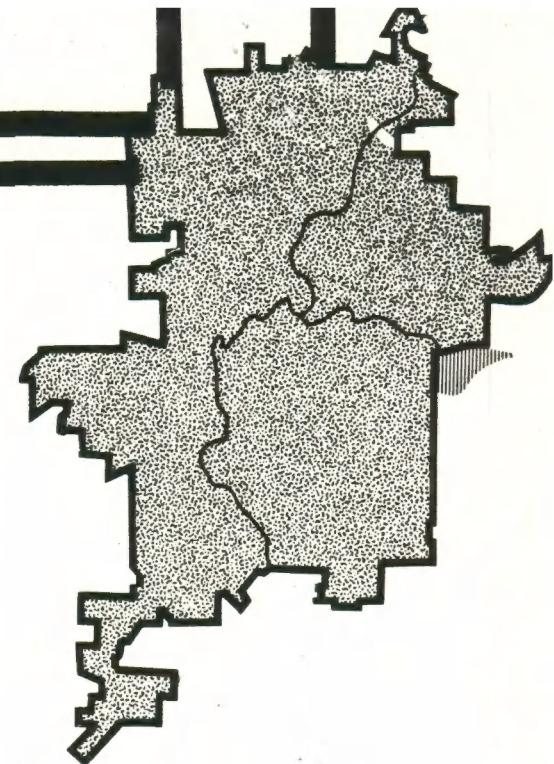
SANDRA E. KENNEDY, CITY CLERK

ANNEXATION FISCAL PLAN

CITY OF FORT WAYNE
WIN MOSES, JR., MAYOR

August, 1987

Lake Avenue



ADMINISTRATION AND POLICY DIRECTION
Win Moses, Jr.
Mayor
City of Fort Wayne

Greg Purcell, Director
Division of Community Development and Planning

V.C. Seth, AICP
Director of Planning

Fort Wayne City Plan Commission
Stephen Smith, President
John Shoaff, Vice-President
Robert Hutner, Secretary
Baron Biedenweg
Janet Bradbury
Herman Friedrich, Jr.
Melvin Smith
Yvonne Stam
Jess Yoder

RESEARCH AND PREPARATION

Michael Graham, Senior Planner
Robert Woenker, Planner II

Executive Summary

Over the past 20 years, the City of Fort Wayne has been pursuing a vigorous annexation policy of the land adjacent to its corporate limits. The City contends that this proposal is a logical continuance of this policy.

This fiscal plan outlines the applicable state legislation concerning the annexation of urban land and explains how the Lake Avenue annexation area conforms to the state law requirements. The plan also provides basic data about the area, describes the services which will be furnished to the area upon annexation by the City of Fort Wayne, and summarizes the fiscal impact of this annexation upon the City.

The proposed annexation area is approximately 369 acres, has a population of 12 people, and contains \$37,990 in assessment. Upon annexation, the area will be in Council District 2. The proposed date of annexation is December 31, 1987.

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SECTION ONE

BASIC DATA

A. LOCATION

The annexation area is bounded on the east by North River Road and Maumee Park, on the south by the Maumee River, and on the west and north by the existing city limits.

B. SIZE

The Lake Avenue annexation area contains approximately 369 acres.

C. POPULATION

The population of the annexation area is 12 and there are 4 residential structures in the area.

D. LAND USE

The majority of land belongs to the City of Fort Wayne, and is being used as lime sludge lagoons. There are several privately owned residential properties along Lake Avenue in the northwest corner of the area.

E. ZONING

The Lake Avenue annexation area has three zoning classifications. Upon annexation, the land will be under the jurisdiction of the City Plan Commission and the zoning classifications will be as follows:

County Zoning Classifications

RS-1 Suburban Residential
A-2 Flood Plain
C2A Neighborhood Shopping Center

City Zoning Classifications

R-1 Single Family Residence
RB Residence, District B
B2 Planned Shopping Center

F. ASSESSMENT

\$37,990

G. TAX RATE

Existing	\$8.6617	After Annexation	\$11.6906	Increase	\$3.0289
				or	34.97%

H. COUNCIL DISTRICT

The annexation area will be in City Council District 2.

SECTION TWO

THE COMPREHENSIVE ANNEXATION PROGRAM

The annexation of this area is part of a larger, comprehensive annexation program that was promulgated in a report prepared by the Department of Community Development and Planning in 1975 and which was subsequently updated in 1976. The Annexation Policy and Program Study was the culmination of a year and a half of extensive study and is used as a policy guide for the City's annexation program. The report recommends that "all urban land contiguous to the City Limits should become part of the City" as should "all non-urban land required to complement the annexation of urban land and provide the ability to control and manage urban growth". Because the Lake Avenue area met this criteria in 1975-76, the report identified it as part of a larger area which was recommended for annexation.

SECTION THREE

STATE LAW REQUIREMENTS

A. INTRODUCTION

When pursuing an annexation, a municipality must ensure that the proposed annexation is in accordance with the State law requirements as established in IC 36-4-3. The statute mandates that the courts accept the annexation if the area meets either of the following criteria:

1. The boundaries of the annexation area must be at least one-eighth (12.5 percent) contiguous to the corporate limits, and the area must meet one of the following conditions:
 - a. Have a population density of at least three persons per acre; or
 - b. Be zoned for commercial, business or industrial uses; or
 - c. Be at least 60 percent subdivided; or
2. The boundaries of the annexation area must be at least one-fourth (25 percent) contiguous to the corporate limits, and the area must be needed and usable by the municipality for its development in the reasonably near future.

In either case, the municipality must also prepare a written Fiscal Plan for providing services to the annexed territory, together with the methods for financing such services. The Lake Avenue annexation meets one of the options which has been established to determine the validity of annexations. The remainder of the section will be devoted to explaining how this annexation meets that annexation test.

B. ONE-FOURTH CONTIGUOUS

The length of the external boundaries of the annexation area are 45.9 percent contiguous to Fort Wayne. Therefore, this annexation easily meets the 25 percent contiguity requirement mandated by state statute.

Having met the contiguity requirement, the area must be needed and usable by the municipality for its development in the reasonably near future. As will be explained, the Lake Avenue Annexation area meets this requirement and is needed for the following reasons: (1) Efficient Service Provisions and (2) Planning Control.

(1) EFFICIENT SERVICE PROVISIONS

The Lake Avenue Annexation area is needed so that the City can provide services more efficiently. This annexation will improve service delivery by allowing the City to take advantage of economies of scale. If, for example, the City of Fort Wayne invests in a fire station, a truck, and the staff necessary to respond to a fire 24 hours a day, it is most efficient to utilize these resources to their fullest capacity. Therefore, if such a hypothetical station has a range of response of three miles in all directions and the jurisdiction of the station is limited to two miles, the station is being under utilized. This is inefficient and increases the cost of fire protection for the entire area. In fact, this is the case in the Lake Avenue annexation area. Both the Fort Wayne Police and Fire Departments have stated that they can provide services to the Lake Avenue area with no increase in staff and with minimal or no increases in expenditures. Therefore, the annexation of this area will enable both departments, as well as other service agencies, to utilize their excess capacity, and will reduce the cost of services for the thousands of Fort Wayne residents who are presently paying for this excess capacity.

The annexation of this area will improve the delivery of services by reducing problems associated with irregular boundaries. Service providers who are confronted with irregular and confusing boundaries react in one of two ways: they provide services, or they don't provide services. As a result, many areas which are on the border between the city and the county, and which have irregular boundaries may be receiving too few or too many services. This problem is relevant for the Lake Avenue area. The annexation will bring both sides of Lake Avenue under City control and solve the confusing situation of having the south side of Lake Avenue changing jurisdiction in mid-block.

Needless to say, this kind of overlapping of services is inefficient and wasteful. The annexation of the Lake Avenue area will greatly reduce service delivery problems caused by an absence or an overlapping of services.

(2) PLANNING CONTROL

The Lake Avenue Annexation area is also needed by the City of Fort Wayne so that it will have planning and zoning control over the area. This is important because the City, being an urban area, has planning and zoning standards that are more attuned to urban areas which are adjacent to the City. On the other hand, the county, which has large amounts of agricultural land, has standards that are more attuned to a rural lifestyle.

It makes sense to have distinct standards for urban and rural uses. What does not make sense is to allow areas that are within the sphere of influence of Fort Wayne, and which are urban in nature, to be subjected to standards which are not suitable for urban development.

It should be noted that the majority of land included in this annexation belongs to the City of Fort Wayne. Logic would dictate that property belonging to the City should be within City jurisdiction.

C. CONCLUSION

The Lake Avenue Annexation area should be annexed into the City of Fort Wayne because it meets the annexation test that has been established by the State Legislature. The annexation area is 45.9 percent contiguous to the City and is needed and can be used by the City for its development in the reasonably near future.

SECTION FOUR

MUNICIPAL SERVICES

This section of the Fiscal Plan projects costs and methods of financing municipal services for the Lake Avenue annexation area. Also described are how and when the City plans to extend non-capital services and capital improvements. As will be seen, the explanations of the above provisions satisfy the requirements of Indiana State Law.

The municipal services described in this section are analyzed according to the needs of the Lake Avenue annexation area, the costs of providing services, and funding sources. As required by state law, the annexation area will be treated equally with other City areas, and will receive urban services in the same manner as other areas within the City. However, because the City does not employ different service standards for different areas of the City, the annexation area is compared with the service standards as they exist for the entire City. Fort Wayne will provide services of a non-capital nature, including police and fire protection, emergency medical service, traffic control, solid waste collection, and street and road maintenance within one year after the effective date of annexation. Street lighting and street construction will be provided in accordance with the standard procedures of the City, which include petitioning and financial participation by property owners. The water, sewer, and drainage services of the Fort Wayne City Utilities will be made available to the area in conformance with relevant state law and utility policies. Existing facilities of the Fort Wayne Parks and Recreation Department will also be available to residents of the area upon annexation.

A. POLICE

The services provided by the Fort Wayne Police Department include the prevention of crime, the detection and apprehension of criminal offenders, assistance for those who cannot care for themselves or who are in danger of physical harm, resolution of day-to-day conflicts among family, friends, and neighbors, and the creation and maintenance of a feeling of security in the community. The Police Department is involved in legal work, such as participation in court proceedings and protection of constitutional rights. It is also responsible for the control of traffic and the promotion and preservation of civil order.

District 3 will be expanded to cover the Lake Avenue area upon annexation. The Police Department keeps tabulation on the percentage of personnel and equipment necessary for the City's annexation program, and has determined that additional personnel are not required for this particular annexation.

Because of its size and low intensity uses, the costs to provide police protection to the Lake Avenue annexation area will be minimal.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST: \$420.00

B. FIRE DEPARTMENT

The Fort Wayne Fire Department will be responsible for providing fire protection services to the Lake Avenue annexation area within one year after the annexation date. The services provided include fire protection and suppression, emergency rescue, fire prevention, and fire inspections. Primary response will come from Station 14 located at 3400 Reed Road. Station 14, which is located 3 miles or 4 1/2 minutes from the most distant point of the annexation area is equipped with one Class A pumper. Backup response will come from Station 10 located at 1245 East State Boulevard, Station 1 at 419 E. Main Street and Station 9 at 2530 E. Pontiac Street.

This particular annexation will not require a new fire station, nor will it require additional personnel and equipment. The only additional expense that is expected will be from operating costs for such items as postage, printing, photography, and gasoline. However, the operating costs will be minimal considering the Lake Avenue annexation area will be only a fraction of the total area serviced by the City. Funding for the operating costs will come from the Fire Department budget through the General Fund.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST: \$0

C. EMERGENCY AMBULANCE SERVICE

At the present time, the Three Rivers Ambulance Authority is the only provider of ambulance service for the City of Fort Wayne. The Lake Avenue annexation area will receive full advanced life support ambulance service immediately upon annexation.

Using service run records of the past several years, as many as six ambulances will be stationed at different locations throughout the community. Upon receiving a request for service from the annexation area, the ambulance closest to the area will be dispatched to the annexation area. In addition, for some emergencies, such as heart attacks, the Fort Wayne Fire Department will provide extra assistance. Primary assistance will come from Station 14 located at 3400 Reed Road. The Fire Department trains a number of its personnel so that each fire station has an emergency medical technician on duty at all times.

The method of financing emergency medical services is based on user fees. The charges for ambulance service, as of January 1, 1987 are shown in Table 1.

TABLE 1

1.	\$85 plus \$5 per loaded mile for non-emergency transfers scheduled 24 hours in advance.
2.	\$95 plus \$5 per loaded mile for non-scheduled non-emergency transfers.
3.	\$385 for all emergencies (for City and non-City residents.)

This method of financing permits medical service to be extended to the annexation area with its existing budget and no additional manpower or equipment will be needed to service the annexation area.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST: \$0

D. SOLID WASTE DISPOSAL

The City of Fort Wayne provides garbage collection for residential customers immediately after the annexation date. This area is serviced by SCA Services at the rate of \$37.56 per household per year. Collection service is financed by the City's Garbage Disposal Fund which comes from the General Fund. With four residential customers presently in the area, there is an annual cost of \$150.24.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST: \$150.24

E. TRAFFIC CONTROL

The City's Traffic Engineering Department will assume responsibility for traffic control in the annexation area within one year of the effective date of annexation. Traffic Engineering provides installation and maintenance of traffic control devices and completes surveys and investigations which are needed to provide these services.

The Traffic Engineering Department will not require additional personnel to perform its services in the Lake Avenue annexation area. There will be an annual cost of \$408.70 for the painting of 6,100 feet of center line and edge line along Lake Avenue and North River Road. Funding sources for services will be from real

estate taxes, Motor Vehicle Highway (MVH) funds, and Revenue Sharing Funds.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST: \$408.70

F. STREETS AND ROADS

The incorporation of the annexation area will add 1.16 miles of arterial streets in good condition. The Fort Wayne Street Department will be responsible for the general maintenance of the streets in the annexation area immediately after the annexation. General maintenance includes snow and ice removal, and surface maintenance. The Street Engineering Department will provide engineering services and construction supervision for all streets, alleys, and sidewalks that will be constructed within the proposed annexation area. The provision of these services to the annexation area will not require any additional personnel or equipment, and they will be similar to those services already provided to the rest of the City. The average cost of general street maintenance is roughly estimated to be \$2,500 per mile of street per year, so the annexation will cost the City approximately \$2,900 a year in street maintenance costs. The source of funding for street maintenance is the Street Department budget which is composed of funds from the Motor Vehicle Highway (MVH) Program. The Street Engineering Department funds come from the Motor Vehicle Highway, Federal Aid Urban (FAU), and Local Arterial Roads and Streets (LARS) Programs.

Besides the maintenance services just discussed, the Street Department will improve streets upon receipt of a petition from the property owners. Arterial and often collector streets can be improved with funding from accounts such as FAU and LARS.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST: \$2,900.00

G. PARKS

Residents of the annexation area will have access to city park facilities such as swimming pools, baseball diamonds, picnic facilities, golf courses, indoor and outdoor skating facilities, etc. No new park facilities will need to be developed for the Lake Avenue annexation area, as Maumee Park, a 110 acre community park is immediately east of this annexation proposal.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST: \$0

H. WATER

The Fort Wayne Water utility is presently serving the majority of the annexation area. City Utilities has the capacity to provide sufficient volumes of water to the portions of the annexation area not presently receiving water services. The extension of water services to individual developments and residences will be considered once the property owners in the area petition for such service. This procedure is the same as that being used by areas within the City.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST: \$0

I. FIRE HYDRANTS

The City of Fort Wayne pays the Fort Wayne Water Utility \$181.50 annually for each fire hydrant located within the City. Since the annexation contains 8 fire hydrants, the City will pay the utility \$1,452.00 a year after the area is annexed into the City. This money will be taken from the General Fund.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST: \$1,452.00

J. SANITARY SEWERS

The Fort Wayne Department of Water Pollution Control (WPC) presently provides sanitary sewers in portions of the annexation area. If additional sewer service is desired by other residents, the Water Pollution Control Department has the capability to provide this service. Property owners will have to pay for installation of the sewers. Upon annexation, residents will be able to take advantage of the Barrett Bonding process. Barrett Bonding permits residents to make long-term, low interest payments for their sewers.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST: \$0

K. STORM SEWERS

Upon annexation, the Department of Water Pollution Control will not consider capital improvements for storm sewers unless petitioned by the property owners of the annexation area. It is the City's policy that the financing of storm sewers be the responsibility of property owners.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST: \$0

L. STREET LIGHTING

The Street Lighting Department will be responsible for maintaining and operating street lights in the annexation area. However, at present there are no street lights in the area. Therefore, there will be no cost for street lighting services.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST: \$0

M. ADMINISTRATIVE SERVICES

All administrative functions of the City will be available to the Lake Avenue annexation area within one year of the annexation date. These services include, but are not limited to, the Law Department, the City Plan Commission, the Mayor's Office, the Board of Works, the Metropolitan Human Relations Department, the City Clerk's Office, the Citizen's Advocate Office, etc. General administration includes all of the regulatory and program functions of the various City departments. When the area is annexed, City departments will be notified and will expand their jurisdictional areas accordingly.

The costs of these services cannot be directly related to the size or population of an area. Consequently, this plan does not include cost estimates. However, the budgets of these departments are prepared with the expectation that the City will annex several areas during the budgetary period. Therefore, expansion of administrative functions is possible. Funding comes from a variety of sources, including the General Fund, the State, and the Federal government.

CAPITAL COST: \$0
ESTIMATED ANNUAL COST: \$0

SECTION FIVE

FINANCIAL SUMMARY AND RECOMMENDATION

The purpose of this section is to project the revenues and expenditures from the proposed Lake Avenue Annexation. This section will also provide a five-year summary of the expenditures compared with the revenues.

A. REVENUES

Property taxes are the main source of revenue to be received from the Lake Avenue annexation area. Property taxes are computed from the gross amount of assessed valuation in the area which can be obtained from the office of the Adams Township Assessor. The formula for computing tax revenue is shown in Table 2.

TABLE 2
TAX REVENUE FORMULA

$$\frac{V-E}{100} \quad (T) = TR$$

WHERE:	V	=	Assessed Valuation
	E	=	Home Mortgage Exemption (\$1,000)
	T	=	Tax Rate Difference
	TR	=	Tax Return

The total assessed valuation of the proposed Lake Avenue Annexation is \$37,990. Home mortgage exemption is deducted from this total. There are 4 residential units in the annexation area and assuming that each is eligible for a home mortgage exemption of \$1,000, the total taxable assessed valuation of the annexation area is \$33,990. The \$33,990 is then computed with the City's present tax rate less that part the residents are presently paying (the tax rate, see Table 3, is 3.9179). However, property owners in this area are already paying the Public Transportation and the Transportation Bond Taxes. Subtracting these rates from the total rate leaves a tax increase of \$3.732. After the above computations are made, property tax revenues for the Lake Avenue Annexation will be \$1,269. Finally, a 19 percent individual tax credit is deducted from this figure. Therefore, the total amount of property tax revenue that will be paid by the residents of this area will be \$1,028. The 19 percent deduction will be returned to Fort Wayne by the State with revenues raised by the State sales tax. The total revenues received by the City from this annexation will be \$1,269 when the property tax relief revenues from the State are received.

This annexation will also enable the City to receive additional money from the Motor Vehicle Highway (MVH) and from the Local Arterial Roads and Streets (LARS) Funds. This is because these funds are allocated according to street miles. In 1986, the City received \$5,664 per street mile from the Motor Vehicle Highway (MVH) Fund and \$2,270 from the Local Arterial Roads and Streets (LARS) Fund. The annexation area will add 1.16 miles to the City's street system. Therefore, the City will receive an additional \$6,570 from Motor Vehicle Highway (MVH) and an additional \$2,633 from Local Arterial Roads and Streets (LARS) because of the Lake Avenue Annexation.

TABLE 3
TAXING DISTRICT RATE

Corporation General	\$2.5352
Corporation Bond	.5081
Firemen Pension	.1681
Policemen Pension	.1578
Parks General	.3432
Redevelopment General	.0071
Sanitary Officers Pension	.0125
Public Transportation	.1208
Public Transportation Bond	.0651
	3.9179

In addition to property taxes and highway funds, the city receives revenues from Federal Revenue Sharing Funds, the Community Development Block Grant, the Cigarette Tax and the Alcoholic Beverage Tax. These grants and funds are based in part on the City's population. Since population is only one element of a very complex distribution formula, the direct contribution of the Lake Avenue Annexation cannot be calculated. Still, these funds will increase with city population increases.

B. EXPENDITURES

Expenditures which were reported in the section on Municipal Services are summarized in Table 4. Capital costs are separated from operating costs. Since the needs of the annexation area must be treated equally with the needs of other areas in Fort Wayne, capital improvement projects such as the construction of streets, curbs, and sidewalks must follow routine city procedures which often require petitioning. Utility costs are not reported here as they are paid for by the property owners, and only after they request the improvements.

C. FIVE YEAR SUMMARY

The Five Year Summary shows the projected expenditures compared with the tax revenues expected in the Lake Avenue annexation area for the first five years after it is incorporated into the City of Fort Wayne (See Table 5).

The summary automatically includes for each of the five years a 1.9 percent inflation factor for municipal expenditures, and a 5 percent increase factor for City revenues. The 1.9 percent inflation factor is the rate of inflation from December 1985 to December 1986 as calculated by the U.S. Department of Labor. The revenue factor is derived from the percent increase of assessed valuation in Indiana. This increase is applied to the City's allowed levy ceiling.

TABLE 4
EXPENDITURES

<u>DEPARTMENTS</u>	<u>CAPITAL COSTS</u>	<u>OPERATING COSTS</u>
Police Department	\$.00	\$ 420.00
Fire Department	.00	.00
Emergency Ambulance Service	.00	.00
Solid Waste Disposal	.00	150.24
Traffic Control	.00	408.70
Streets	.00	2,900.00
Street Lighting	.00	.00
Parks	.00	.00
Water	.00	.00
Fire Hydrants	.00	1,452.00
Sanitary Sewer	.00	.00
Storm Sewer	.00	.00
Administrative Functions	.00	.00
TOTALS	\$.00	\$ 5,330.94

Assuming the area is annexed in December of 1987, assessment will not occur until March of 1988, with property tax revenues being collected in 1989.

TABLE 5
REVENUES MINUS EXPENSES

<u>EXPENDITURES</u>	<u>PROPERTY TAX REVENUE</u>	<u>MVH & LARS</u>	<u>BALANCE</u>
1988 \$ 5,432			\$ -5,432
1989 5,535	\$ 1,399	9,203	+5,067
1990 5,640	1,469	9,203	+5,032
1991 5,747	1,542	9,203	+4,998
1992 5,856	1,619	9,203	+4,966
TOTALS \$ 28,210	\$ 6,029	\$ 36,812	\$ 14,631

D. RECOMMENDATION

This Fiscal Plan, which meets the state law requirements that a fiscal plan be prepared, shows that the Lake Avenue Annexation is in accordance with the applicable state statutes. Therefore, it is recommended that after the passage of the annexation ordinance and its approval by the Mayor, this area should be annexed by the City of Fort Wayne on December 31, 1987.

It is not anticipated that, due to the annexation of the Lake Avenue area, any governmental employees will be eliminated from other governmental agencies. Because of this fact, no plan has been prepared for the hiring of such employees.

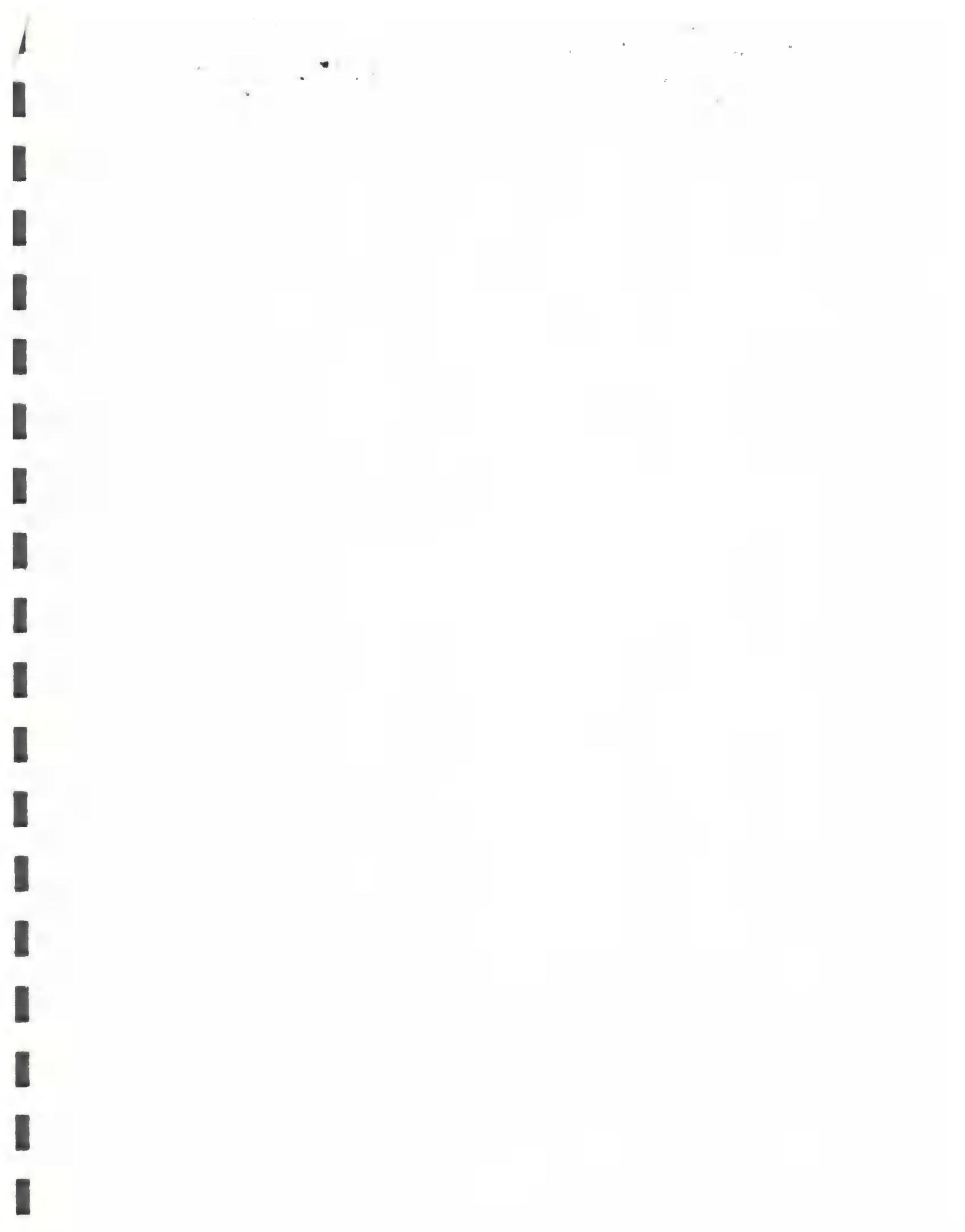
ADAMS TOWNSHIP TAX RATES
TABLE 6

		ADAMS TRANSIT	FORT WAYNE ADAMS E.A.C.S.
STATE	St. Fair Board	.0035	.0035
	St. Forestry	.0065	.0065
	Welfare - HCI	.0946	.0946
	Welfare Administration	.0783	.0783
	TOTAL STATE	.1829	.1829
COUNTY	County General	.9394	.9394
	County Welfare	.1915	.1915
	County Health	.0613	.0613
	Cumulative Bridge	.0500	.0500
	County Debt Service	.1338	.1338
	County Bonds	.1291	.1291
	Cumulative Capital Development	.0700	.0700
	TOTAL COUNTY	1.5751	1.5751
TOWNSHIP	Township General	.0147	.0147
	Fire Protection	.3019	
	Township EMS	.0253	
	Poor Relief Debt Serv.	.1902	.1902
	TOTAL TOWNSHIP	.5321	.2049
SCHOOLS	School General	3.6455	3.6455
	Debt Service	.3263	.3263
	Cumulative Building	.7000	.7000
	School Transportation	.5731	.5731
	TOTAL SCHOOL	5.2449	5.2449
AIRPORT AUTHORITY	Airport General	.0949	.0949
	Airport Bond	.0486	.0486
	TOTAL AIRPORT	.1435	.1435
LIBRARY	Library General	.3664	.3664
	Library Bond	.0550	.0550
	TOTAL LIBRARY	.4214	.4214
CITY AND SPECIAL TAXING DISTRICT	Corporation General		2.5352
	Redevelopment General		.0071
	Corporation Bond		.5081
	Firemen Pension		.1681
	Policemen Pension		.1578
	Park General		.3432
	Sanitary Officers Pen.		.0125
	Park and Recreation N. H.	.3759	
	Public Transportation	.1208	.1208
	Transportation Bond	.0651	.0651
TOTAL CITY & SPECIAL DISTRICT		.5618	3.9179
TOTAL TAX RATE		8.6617	11.6906

APPENDIX: LAKE AVENUE LEGAL DESCRIPTION

Part of Section 4, Township 30 North, Range 13 East, part of Section 3, Township 30 North, Range 13 East, and part of the Northeast Quarter of Section 9, Township 30 North, Range 13 East, Allen County, Indiana.

Beginning at a point, that point being on the north-south centerline of Section 4 in Adams Township and the north right-of-way line of Lake Avenue (on the existing City Limits line); thence east along the north right-of-way line of Lake Avenue (this being the existing City Limits line) to a point on the east right-of-way line of Lake Avenue (Maysville Road), and its intersection with the north right-of-way line of North River Road; thence continuing in a southeasterly direction along the north right-of-way line of North River Road to a point on the west property line of Maumee Park; thence south a distance of 345 feet more or less (along said west line of Maumee Park) to the middle of the Maumee River; thence in a southwesterly direction along the center line of the Maumee River to its point of intersection with the north-south centerline of Section 4 in Adams Township this point being on the existing City Limits line; thence north along said north-south centerline of Section 4 to the point of beginning containing 369 acres more or less.



Fort Wayne Common Council

 (Governmental Unit)
 Allen County, IN

To JOURNAL-GAZETTE Dr.
 P.O. BOX 100
 FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines
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Head	number of lines	1
Body	number of lines	117
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LEGAL NOTICE
 Notice is hereby given that on the 13th day of October, 1987, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-87-09-21 Annexation Ordinance No. X-07-87 to-wit:

BILL NO. X-87-09-21
 ANNEXATION ORDINANCE NO. X-07-87

AN ORDINANCE annexing certain territory commonly known as Lake Avenue Annexation Area to Fort Wayne and including the same in Councilmanic District No. 2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana to wit:

Part of Section 4, Township 30 North, Range 13 East, part of Section 3, Township 20 North, Range 13 East, and part of the Northeast Quarter of Section 9, Township 30 North, Range 13 East, Allen County, Indiana.

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SECTION 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of one (1) year from the effective date of annexation, governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City which have similar topography, patterns of land utilization and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years of the effective date of annexation in the same manner as such services are provided to areas already in the City with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

SECTION 3. Governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community Development and Planning. Said Plan was examined by the Common Council and is approved and adopted by the Common Council by the passage of this Ordinance.

SECTION 4. Said described territory shall be part of City Councilmanic Political Ward No. 2 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.

SECTION 5. After its passage, approval by the Mayor, final publication, and the required sixty (60) day remonstrance period, this Ordinance shall be in full force and effect on December 31, 1987 or sixty days after the final publication, whichever is later.

James S. Stier

COUNCIL MEMBER

Read the third time in full and on motion by Stier, seconded by Eisbart, and duly adopted, placed on its passage, PASSED by the following vote:

AYES: Eight
 Bradbury, Burns, Eisbart, Henry, Redd, Schmidt,
 Stier, Talarico

NAYS: None

ABSENT: One

GiaQuinta

DATE: 10-13-87

Sandra E. Kennedy

City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-07-87 on the 13th day of October, 1987.

ATTEST: (SEAL)

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of October, 1987, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy

City Clerk

Approved and signed by me this 15th day of October, 1987, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.

Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-07-87, passed by the Common Council on the 13th day of October, 1987, and that said Ordinance was duly signed and approved by the Mayor on the 15th day of October, 1987, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 15th day of October, 1987.

SEAL

SANDRA E. KENNEDY, CITY CLERK

10/22/89

..... 1

..... 117

..... 1

..... 119

..... notices in notice

1	columns wide equals	119	equivalent lines at	.450¢	\$ 53.55
..... containing rule or tabular work (50 per cent of above amount)					
Publication (1.00 for each proof in excess of two)		2	extra	2.00	
.....					
..... 55.55					

T OF CLAIM

Size of type 6 point

Size of quad upon which type is cast 6

19.. Acts 1967.

..... and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Drusilla Roose

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the

Drusilla Roose

undersigned who, being duly sworn, says

that he/she is of the

CLERK

..... JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the city town of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy,

which was duly published in said paper for two times the dates of publication being

as follows:

10/22 - 10/29/87

Drusilla Roose

Subscribed and sworn to me before this day of October 1987

Shelley R. LaRue

Shelley R. LaRue Notary Public

March 3, 1990

My commission expires

10/22/89

Fort Wayne Common Council

 (Governmental Unit)
 Allen County, IN

To JOURNAL-GAZETTE Dr.
 P.O. BOX 100
 FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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COMPUTATION OF CHARGES

119	lines	1	columns wide equals	119	equivalent lines at	.450¢	\$ 53.55
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Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (1.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

DATA FOR COMPUTING COST

Width of single column 12.5 picas	Size of type 6	point
Number of insertions 2	Size of quad upon which type is cast 6	

Pursuant to the provision and penalties of Ch. 39., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Roose

Oct. 29 1987

Title CLERK

FORM #901

State of Indiana
 ALLEN County SS:

PUBLISHER'S AFFIDAVIT

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the

JOURNAL-GAZETTE

DAILY

newspaper of general circulation printed and published

in the English language in the city town of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, two times which was duly published in said paper for the dates of publication being

as follows:

10/22 - 10/29/87

Drusilla Roose

29th October 1987

Subscribed and sworn to me before this day of 19

Shelley R. LaRue
 Shelley R. LaRue Notary Public

March 3, 1990

My commission expires

Approved and signed by the Clerk of the City of Fort Wayne, Indiana, this 15th day of October, 1987, at the hour of 11:00 o'clock A.M., E.S.T.
 Win Moses, Jr.
 Mayor
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 WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 15th day of October, 1987.
 SEAL
 SANDRA E. KENNEDY, CITY CLERK
 10/22/87

Fort Wayne Common Council
(Governmental Unit)
Allen County, IN

To **NEW-SENTINEL** Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

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James S. Stier
COUNCIL MEMBER

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Bradbury, Burns, Eisbart, Henry, Redd, Schmidt,
Stier, Talarico

NAYS: None

ABSENT: One
GiaQuinta

DATE: 10-13-87

Sandra E. Kennedy
City Clerk

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ATTEST: (SEAL)

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Sandra E. Kennedy
City Clerk

Approved and signed by me this 15th day of October, 1987, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-07-87, passed by the Common Council on the 13th day of October, 1987, and that said Ordinance was duly signed and approved by the Mayor on the 15th day of October, 1987, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 15th day of October, 1987.

SEAL

SANDRA E. KENNEDY, CITY CLERK

10/22/87

My commission expires

Subscribed and sworn to me before this 29th day of October 1987
Shelley R. LaRue Notary Public

March 3, 1990

